

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION
(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

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|---|---|
| Date of mailing (day/month/year) 23 April 2001 (23.04.01) | To: Commissioner US Department of Commerce United States Patent and Trademark Office, PCT 2011 South Clark Place Room CP2/5C24 Arlington, VA 22202 ETATS-UNIS D'AMERIQUE in its capacity as elected Office |
| International application No. PCT/US00/21149 | Applicant's or agent's file reference 126-47961PCT |
| International filing date (day/month/year) 03 August 2000 (03.08.00) | Priority date (day/month/year) 05 August 1999 (05.08.99) |
| Applicant BEGLEITER, Eric | |

1. The designated Office is hereby notified of its election made:

in the demand filed with the International Preliminary Examining Authority on:

04 January 2001 (04.01.01)

in a notice effecting later election filed with the International Bureau on:

2. The election was

was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

| | |
|---|---|
| The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35 | Authorized officer Pascal Piriou Telephone No.: (41-22) 338.83.38 |
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PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

| | | |
|---|---|---|
| Applicant's or agent's file reference 126-47961PCT | FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below. | |
| International application No. PCT/US00/21149 | International filing date (day/month/year) 03 AUGUST 2000 | (Earliest) Priority Date (day/month/year) 05 AUGUST 1999 |
| Applicant DIMENSIONAL FOODS CORPORATION | | |

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 2 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).
- b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing:
 - contained in the international application in written form.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority in written form.
 - furnished subsequently to this Authority in computer readable form.
 - the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
 - the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

2. Certain claims were found unsearchable (See Box I).

3. Unity of invention is lacking (See Box II).

4. With regard to the title,

- the text is approved as submitted by the applicant.
- the text has been established by this Authority to read as follows:

5. With regard to the abstract,

- the text is approved as submitted by the applicant.
- the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No. _____

- as suggested by the applicant.
- because the applicant failed to suggest a figure.
- because this figure better characterizes the invention.

None of the figures.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US00/21149

A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : A61K 47/00, 9/48, 9/20, 9/44, 9/28, 9/42, 9/36

US CL : 424/439, 451, 464, 467, 474, 476, 480

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 424/439, 451, 464, 467, 474, 476, 480

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

EAST

C. DOCUMENTS CONSIDERED TO BE RELEVANT

| Category* | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
|-----------|--|-----------------------|
| Y | US 4,029,757 A (MLODOZENIEC et al.) 14 June 1977, See entire document | 1-62 |
| Y | US 4,069,086 A (REIF) 17 January 1978, See entire document | 1-62 |
| Y | US 4,973,469 A (MULLIGAN et al.) 27 November 1990, See entire document | 1-62 |
| A | US 5,510,171 A (FAYKISH) 23 April 1996, See entire document | 1-62 |

Further documents are listed in the continuation of Box C.

See patent family annex.

| | | |
|---|-----|--|
| Special categories of cited documents: | "T" | later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention |
| "A" document defining the general state of the art which is not considered to be of particular relevance | "X" | document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone |
| "B" earlier document published on or after the international filing date | "Y" | document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art |
| "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) | "&" | document member of the same patent family |
| "O" document referring to an oral disclosure, use, exhibition or other means | | |
| "P" document published prior to the international filing date but later than the priority date claimed | | |

Date of the actual completion of the international search

15 SEPTEMBER 2000

Date of mailing of the international search report

19 OCT 2000

Name and mailing address of the ISA/US
Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20231

Facsimile No. (703) 305-3230

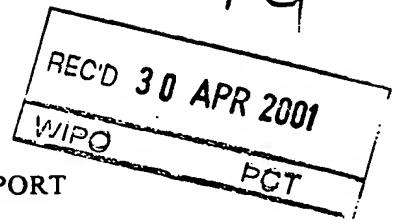
Authorized officer
Lillian Di Nola-Baron
LILIANA DI NOLA-BARON

Telephone No. (703) 308-1234

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT



(PCT Article 36 and Rule 70)

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|--|--|---|
| Applicant's or agent's file reference 126-47961PCT | FOR FURTHER ACTION | See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) |
| International application No. PCT/US00/21149 | International filing date (day/month/year) 03 AUGUST 2000 | Priority date (day/month/year) 05 AUGUST 1999 |
| International Patent Classification (IPC) or national classification and IPC Please See Supplemental Sheet. | | |
| Applicant DIMENSIONAL FOODS CORPORATION | | |

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| <p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of <u>0</u> sheets.</p> <p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of report with regard to novelty, inventive step or industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application |
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|--|---|
| Date of submission of the demand 04 JANUARY 2001 | Date of completion of this report 13 MARCH 2001 |
| Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 | Authorized officer <i>Liliana Di Nola-Baron</i> LILIANA DI NOLA-BARON |
| Facsimile No. (703) 305-3230 | Telephone No. (703) 308-1234 |

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US00/21149

I. Basis of the report

1. With regard to the elements of the international application:*

 the international application as originally filed the description:pages 1-34, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____ the claims:pages 35-40, as originally filed
pages NONE, as amended (together with any statement) under Article 19
pages NONE, filed with the demand
pages NONE, filed with the letter of _____ the drawings:pages 1-20, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____ the sequence listing part of the description:pages NONE, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

 the language of a translation furnished for the purposes of international search (under Rule 23.1(b)). the language of publication of the international application (under Rule 48.3(b)). the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

 contained in the international application in printed form. filed together with the international application in computer readable form. furnished subsequently to this Authority in written form. furnished subsequently to this Authority in computer readable form. The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished. The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.4. The amendments have resulted in the cancellation of: the description, pages NONE the claims, Nos. NONE the drawings, sheets/fig NONE5. This report has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US00/21149

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. statement**

| | | |
|-------------------------------|--------------------|-----|
| Novelty (N) | Claims <u>1-62</u> | YES |
| | Claims <u>NONE</u> | NO |
| Inventive Step (IS) | Claims <u>1-62</u> | YES |
| | Claims <u>NONE</u> | NO |
| Industrial Applicability (IA) | Claims <u>1-62</u> | YES |
| | Claims <u>NONE</u> | NO |

2. citations and explanations (Rule 70.7)

Claims 1-62 meet the criteria set out in PCT Article 33(2)-(4), because the prior art does not teach or fairly suggest a holographic pharmaceutical dosage form comprising a stable, thermoformed layer with high resolution diffraction relief, and a process and apparatus to produce said form. The claimed product, process and apparatus find industrial applicability in the preparation of pharmaceutical dosage forms with controlled stability.

----- NEW CITATIONS -----
NONE

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 10

CLASSIFICATION:

The International Patent Classification (IPC) and/or the National classification are as listed below:

IPC(7): A61K 47/00, 9/48, 9/20, 9/44, 9/28, 9/42, 9/36 and US Cl.: 424/439, 451, 464, 467, 474, 476, 480